

# COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

U.S. Department of Commerce  
Patent and Trademark Office  
Attorney Docket 045636-5056

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## LACTIC ACID BACTERIA TRANSFORMED TO BE PROVIDED WITH RESPIRATORY METABOLISM

was filed as PCT International Application No. PCT/FR00/02611 on September 20, 2000.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, 1.56.

I hereby authorize and request the attorneys empowered in this Declaration and Power of Attorney to insert above the serial number of the application identified above when known.

I hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

### Prior Foreign Applications

Country	Application Number	Filing Date	Priority Claimed
France	99/11735	20 September 1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefits under Title 35, United States Code 119(e) of any U.S. provisional applications listed below.

### U.S. Provisional Applications

U.S. Provisional Application No.	U.S. Filing Date

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
(includes Reference to PCT International Applications)

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**Prior U.S. Applications or PCT Applications Designating the U.S. for Benefit:**

U.S. Applications		Status		
U.S. Application No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.		Status		
PCT Application No.	International Filing Date	Published	Pending	Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

**Customer Number:** 009629

Direct Telephone Calls To:  
(name and telephone number)

**Elizabeth Weimar**  
**202-739-5812**

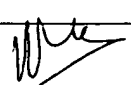
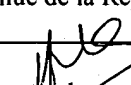
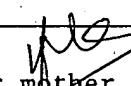
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Third Inventor's Signature	Philippe Gaudy	DATE June 24, 2003

Listing of Inventors Continued on attached pages ☒ Yes ☐ No

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(includes Reference to PCT International Applications)

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4-1/1	Full Name of Fourth Inventor	<u>Patrick Duwat (Deceased)</u>	
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4-1/1	Full Name of First Legitimate Heir of Patrick Duwat	<u>Anne Michele Bravard Duwat</u>	
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4-1/1	Full Name of Second Legitimate Heir of Patrick Duwat	<u>Charlotte Noemie Duwat</u>	
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4-1/1	Second Legitimate Heir's Signature by Anne Michele Bravard Duwat, her mother		DATE July 15 2003
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	Third Legitimate Heir's Signature by Anne Michele Bravard Duwat, her mother		DATE July 15 2003
Listing of Inventors Continued on attached pages <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			